

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

DAVORIC PENTEZ TILMAN,

Plaintiff,

V.

Warden ERIC SELLERS, et al.,

Defendants.

CIVIL ACTION NO. 5:15-CV-85 (MTT)

ORDER

United States Magistrate Judge Charles H. Weigle recommends dismissing the Plaintiff's case pursuant to Fed. R. Civ. P. 41(b) and denying the Defendants' motions to dismiss (Docs. 16; 45) and the Plaintiff's motion for joinder (Doc. 43) as moot. (Doc. 58). The Magistrate Judge makes this Recommendation because the Plaintiff has failed to update the Court with his current address. In a previous order, the Magistrate Judge advised the Plaintiff that he "must diligently prosecute his Complaint or face the possibility that it will be dismissed under Rule 41(b)" and warned that the "[f]ailure to promptly advise the Clerk of any change of address may result in the dismissal of [his] pleadings." (Doc. 7 at 12).

As noted by the Magistrate Judge, it appears the Plaintiff was released on parole on November 9, 2015, but he never informed the Court of his new address. Consequently, multiple orders have been returned to the Court as undeliverable. (Docs. 53; 59). On December 7, 2015, the Magistrate Judge issued a show cause order requiring the Plaintiff to respond why the case should not be dismissed as a result of his

failure to update the Court with his current address. (Doc. 55). That order was also returned as undeliverable. (Doc. 57).

The Plaintiff has not objected to the Recommendation, which was also returned as undeliverable. The Court has reviewed the Recommendation, and the Court accepts and adopts the findings, conclusions, and recommendations of the Magistrate Judge. The Recommendation is **ADOPTED** and made the order of this Court. (Doc. 58). Accordingly, this case is **DISMISSED without prejudice**, and the Defendants' motions to dismiss (Docs. 16; 45) and the Plaintiff's motion for joinder (Doc. 43) are **DENIED as moot**.

SO ORDERED, this 8th day of February, 2016.

S/ Marc T. Treadwell
MARC T. TREADWELL, JUDGE
UNITED STATES DISTRICT COURT